

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

No. C 09-2556 CW

ARMONDO GIBB ORTEGA,

ORDER TO SHOW CAUSE

Plaintiff,

v.

JOHN W. HAVILAND, Warden,

Defendant.

Petitioner, a state prisoner currently incarcerated at California State Prison, Solano in Vacaville, California, has filed this petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Because Petitioner raises claims cognizable in a petition filed pursuant to § 2254, Respondent is directed to SHOW CAUSE why the petition should not be granted. Good cause appearing, the Court hereby issues the following orders:

The Clerk of the Court shall serve a copy of this Order and the petition and all attachments thereto upon Respondent and Respondent's attorney, the Attorney General of the State of California.

Respondent shall file with this Court and serve upon Petitioner and Petitioner's attorney, within sixty (60) days of the issuance of this Order, an answer conforming in all respects to

1 Rule 5 of the Rules Governing Section 2254 Cases, 28 U.S.C. foll.
2 § 2254, showing cause why a writ of habeas corpus should not be
3 issued. Respondent shall file with the answer a copy of all
4 portions of the state record that have been previously transcribed
5 and that are relevant to a determination of the issues presented by
6 the petition.

7 If Petitioner wishes to respond to the answer, he shall do so
8 by filing a traverse with the Court and serving it upon Respondent
9 within thirty (30) days of his receipt of the answer.

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12 IT IS SO ORDERED.



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14 Dated: 6/30/09

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CLAUDIA WILKEN
United States District Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

ARMONDO GIBB ORTEGA,

Plaintiff,

v.

JOHN W HAVILAND et al,

Defendant.

Case Number: CV09-02556 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 30, 2009, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Robert John Bratberg
Attorney at Law
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Santa Rosa, CA 95403-1613

Attorney General
State of California
455 Golden Gate Avenue, #11000
San Francisco, CA 94102

John Haviland, Warden
California State Prison, Solano
P. O. Box 4000
Vacaville, CA 95696-4000

Dated: June 30, 2009

Richard W. Wieking, Clerk
By: Sheilah Cahill, Deputy Clerk